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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/770,647	02/02/2004	Robert Puckette	TRMB1414	1578

7590 07/25/2006
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EXAMINER

ELAMIN, ABDELMONIEM I

ART UNIT	PAPER NUMBER
2116	

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/770,647	Applicant(s) PUCKETTE, ROBERT	
	Examiner Abdelmoniem Elamin	Art Unit 2116	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 22 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 21. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 3 recites the limitation "said controller" in line 1. There is insufficient antecedent basis for this limitation in the claim.

4. Claim 4 recites the limitation "said NAND flash memory" in line 3. There is insufficient antecedent basis for this limitation in the claim.

5. Claim 7 recites the limitation "said NAND flash memory" in line 3. There is insufficient antecedent basis for this limitation in the claim.

6. Claim 11 recites the limitation "said ready handshake protocol" in line 1. There is insufficient antecedent basis for this limitation in the claim.

7. Claim 14 recites the limitation "said translating" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Kudo et al, US. Pat. No. 6,799,157.

10. Claims 1, 8, 18, Kudo teaches an electronic processing boot up system [*see the system of Fig. 2*] comprising:

a bus for communicating information [*bus 22 of Fig. 2*];

a processor coupled to said bus, said processor for processing said information [*CPU 12 of Fig. 2*]; and

a read only memory (ROM) emulation system coupled to said bus [*emulation memory 32 of Fig. 2*], said read only memory (ROM) emulation system for making boot up information available to said processor [*abstract*].

11. Claims 2, 12, 19, Kudo teaches a NAND flash memory for storing said boot up information [*memory 30 of Fig. 2*]; and a controller component for generating commands for retrieving boot up information from said NAND flash and forwarding said boot up information to said processor [*controller 14 of Fig. 2*].

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12. Claims 3 (*as understood by Examiner*), 23, Kudo teaches a controller said component includes a field programmable gate array [*col. 4, lines 37-38*].
13. Claims 4-5, 9, 20, Kudo teaches receiving a fetch request for information from a processor; translating said fetch request into memory compatible commands for retrieving said information; holding off said processor while said information is retrieved; and forwarding said information in a format compatible with a reply to said memory fetch [*see Fig. 3 and the discussion of the instruction fetching operation of the microcomputer starting at col. 7, line 49*].
14. Claims 6, Kudo teach said read only memory (ROM) emulation system permits reprogramming and recovery after a system crash [*abstract, col. 5, lines 5-22, col. 11, lines 17-33*].
15. Claims 7 (*as understood by Examiner*), Kudo teaches a joint task action group (JTAG) port for directly controlling electrical signals in said electronic processing boot up system to effect programming of said NAND flash memory with system software [*see Fig. 6 and related discussion*].
16. Claims 10, 13, Kudo teaches implementing of a ready handshake Protocol. [*Inherently, handshake packets are used to perform a ready handshake after transfer of a data or control packet to acknowledge successful receipt or indicate unsuccessful receipt*].
17. Claims 11, 14 (*as understood by Examiner*), Kudo teaches de-assert a ready signal in response to said fetch request; and asserting a ready signal when said information is in a format compatible with a reply to said memory fetch [*see Fig. 3 and the discussion of the instruction fetching operation of the microcomputer starting at col. 7, line 49*].

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18. Claims 15, 21-22, Kudo teaches turning on random access memory (RAM) [*emulation memory 32 of Fig. 2*] and copying information from a NAND flash memory [*external memory 30 of Fig. 2*] to said random access memory (RAM), wherein said information includes bootstrap information [*col. 11, lines 17-33*].

19. Claims 16, Kudo teaches bootstrap information is retrieved from random access memory (RAM) [*col. 11, lines 17-33*].

20. Claims 17, Kudo teaches bad pages of a NAND flash memory are marked and skipped when copying information from said NAND flash [*Inherently, bad pages of a NAND flash memory are marked and skipped when copying information*].

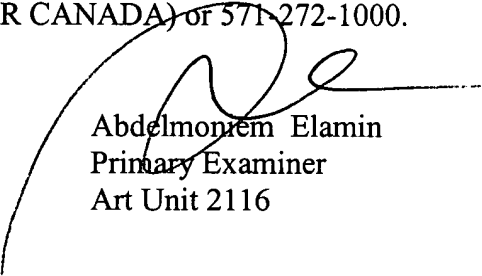
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdelmoniem Elamin whose telephone number is 571-2727-3674. The examiner can normally be reached on MON - THUR 10:00 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on 571-272-3670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Abdelmonem Elamin
Primary Examiner
Art Unit 2116

July 18, 2006